

REMARKS

Claims 1-27 are presently pending. Claims 1, 3-7, 10, 12-16, 19, and 21-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,116,441 ("Matsuoka"). Claims 2, 8, 9, 11, 17, 18, 20, 26, and 27 are objected to. Claims 28-35 are withdrawn from consideration, following Examiner's restriction requirement. Reconsideration and continued examination are respectfully requested.

Claim 1 recites, among other limitations, "using a two-dimensional lookup table that contains mapping for a portion of the colors of the image".

Examiner has indicated that

"Masuoka discloses the LUT generation unit 1209 generates an LUT for converting RGB data into CMYK data with reference to a mapped gamut as a mapping result of the gamut enlargement correction unit 1208, and writes it in the RAM 120 (column 23, lines 57-60); and the mapping gamuts is represented in two dimensional coordinate (e.g., two dimensional a*b* place, figure 31). Therefore it would be have been obvious to one or ordinary skill in the art at the time of the invention to have recognized that LUTs (lookup tables) are two dimensional."

Examiner has noted that "it would be have been obvious to one or ordinary skill in the art at the time of the invention to have recognized that LUTs (lookup tables) are two dimensional." It is noted that obviousness is a question of law based on underlying factual inquiries. The factual inquiries are as follows: (A) Determining the scope and content of the prior art; and (B) Ascertaining the difference between the claimed invention; and (C) Resolving

the level of ordinary skill in the pertinent art. *Graham v. John Deere Co.*, 383 U.S. 1 (1966).

As an initial matter, it is unclear whether Examiner is arguing that Masuoka, (a) *expressly* teaches “using a two-dimensional lookup table that contains mapping for a portion of the colors of the image”, or (b) is inherent from the disclosure of Masuoka; or (c) is a difference from Masuoka, but that it would be obvious to one of ordinary skill in the art to modify Masuoka. Nevertheless, Assignee traverses all three arguments. Moreover, to the extent that Examiner is holding that the scope and content of the prior art can be other than express or inherent, Assignee respectfully traverses.

Masuoka does not expressly teach “using a two-dimensional lookup table that contains mapping for a portion of the colors of the image”. If, as Examiner has indicated, “Masuoka discloses the LUT generation unit 1209 generates an LUT for converting RGB data into CMYK data”. It is noted that RGB data is three-dimensional. Even if “LUT generation unit 1209 generates an LUT for converting RGB data into CMYK data with reference to a mapped gamut as a mapping result of the gamut enlargement correction unit 1208” and that “the *mapping gamuts* is represented in two dimensional coordinate”, it does not follow that the LUT for converting RGB data into CMYK is “a two-dimensional lookup table that contains mapping for a portion of the colors of the image”. Thus, to the extent that Examiner holds that Masuoka expressly teaches “using a two-dimensional lookup table that contains mapping for a portion of the colors of the image”, Assignee traverses the rejection.

Additionally, Examiner has not provided an reasoning that "using a two-dimensional lookup table that contains mapping for a portion of the colors of the image" is necessarily present in Masuoka. Accordingly, to the extent that Examiner is holding that "using a two-dimensional lookup table that contains mapping for a portion of the colors of the image" is inherent from Masuoka, Assignee respectfully traverses.

Finally, Examiner has not provided any evidence "level of ordinary skill in the pertinent art" or that it include "using a two-dimensional lookup table that contains mapping for a portion of the colors of the image". Accordingly, to the extent that Examiner holds that "using a two-dimensional lookup table that contains mapping for a portion of the colors of the image" is a difference from Masuoka, but that it would be obvious to one of ordinary skill in the art to modify Masuoka, Assignee traverses.

Regarding Claim 10, the Office Action states "Claim 10 is the system claim corresponding with method steps in claim 1 with operation corresponding directly to the steps in method of claim 1. Therefore claim 10 is rejected as set forth above for claim 1." Regarding claim 19, the Office Action states "Claim 19 is the system claim corresponding with method steps in claim 1 with operation corresponding directly to the steps in method of claim 1. Therefore claim 19 is rejected as set forth above for claim 1."

In response to the Examiner's remarks to Claim 10 and 19, the Applicant respectfully submits that the Examiner has not shown a teaching of what is recited in Claim 10 and 19 since Examiner has not shown a teaching of what is recited in Claim 1. Since the Examiner has rejected Claims 10 and 19 "as set forth above for Claim 1," the Applicant

respectfully requests the Examiner to refer to Applicant's arguments for Claim 1 in this Response.

CONCLUSION

For at least the foregoing reasons, Assignee respectfully submits that each of the pending claims are allowable and Examiner is respectfully requested to pass this case to issuance. The Commissioner is hereby authorized to charge additional fees or credit overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: November 5, 2008 Respectfully submitted,



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